

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF MISSISSIPPI  
JACKSON DIVISION

CHRISTOPHER RUSSELL

PETITIONER

VS.

CIVIL ACTION NO. 3:11CV674TSL-MTP

HUBERT DAVIS

RESPONDENT

ORDER

This cause came on this date to be heard upon the report and recommendation of United States Magistrate Judge Michael T. Parker, and the court, having fully reviewed the report and recommendation entered in this cause on June 6, 2012, and being duly advised in the premises, finds that said report and recommendation should be adopted as the opinion of this court.

IT IS, THEREFORE, ORDERED that the report and recommendation of United States Magistrate Judge Michael T. Parker entered on June 6, 2012, be, and the same is hereby adopted as the finding of this court, and the petition for writ of habeas corpus is hereby dismissed with prejudice.

It is further ordered that a certificate of appealability should not issue. Petitioner has failed to demonstrate that "jurists of reason would find it debatable whether [this] court was correct in its procedural ruling." Slack v. McDaniel, 529 U.S. 473, 484, 120 S. Ct. 1595, 146 L. Ed. 2d 542 (2000).

A separate judgment will be entered herein in accordance with this order as required by Rule 58 of the Federal Rules of Civil Procedure.

SO ORDERED this the 3rd day of July, 2012.

\_\_\_\_\_/s/ Tom S. Lee\_\_\_\_\_  
UNITED STATES DISTRICT JUDGE